Case 5:05-cr-00715-JF Document 18 Filed 11/02/05 Page 1 of 1

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORDER OF DETENTION PENDING TRIAL In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing was held on ft/	UNITED STATES OF AMERICA, Plaintiff,	Case Number CR-05-70848 HRL
In accordance with the Bail Reform Act, 18 U.S.C. § 3142(2), a detention hearing was held on 1/1/200 Defendant was present, represented by his attorney R. Darry M. The United States was represented by Assistant U.S. Attorney E. Topolo PART I. PRESUMPTIONS APPLICABLE / The defendant is charged with an offense described in 18 U.S.C. § 3142(1)(1) and the defendant has been convicted of a prior offense described in 18 U.S.C. § 3142(2)(1) while on release pending trial for a federal, state or local offense, and a period of not more than five (5) years has elapsed since the date of conviction or the release of the person frimprisonment, whichever is later. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community. / There is probable cause based upon (the indictment) (the facts found in Part IV below) to believe that the defendant has committed an offense A for which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et seq., § 951 et seq., or 955a et seq., OR B there is probable cause based upon (the indictment) (the facts found in Part IV below) to believe that the defendant has committed an offense A for which a maximum term of imprisonment of 10 years or more is prescribed in 21 U.S.C. § 801 et seq., § 951 et seq., or 955a et seq., OR B under 18 U.S.C. § 924(e): use of a firearm during the commission of a felony. This establishes a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community. // No presumption applies. PART II. REVITAL OF PRESUMPTIONS, IP APPLICABLE // The defendant has not come forward with any evidence to rebut the applicable presumption[s] to wit: Thus, the burden of proof shifts back to the United States. PART III. PROOF (WHERE PRESUMPTIONS REBUTTED OR INAPPLICABLE) // The United States has proved to a preponderance o	v. T. A	ORDER OF DETENTION PENDING TRIAL
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PATRICIA V. TRUMBULL United States Magistrate Judge